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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY CAD D.C.

2005 JUL 27 PM 1:45

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 05-20272-Ma

ALBERT SMITH,

Defendant.

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NOTICE OF APPEAL

Notice is hereby given that the United States of America appeals to the United States District Court from the Order issued by the Honorable Diane Vescovo, United States Magistrate Judge which denied the Government's request for pretrial detention without bond.

DATED: July 26, 2005.

Respectfully submitted,

TERRELL L. HARRIS
United States Attorney

By:

Stephen Hall
Stephen Hall
Assistant U.S. Attorney

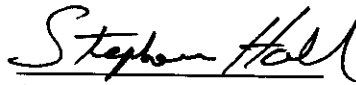
12

CERTIFICATE OF SERVICE

I, Stephen Hall, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing NOTICE OF APPEAL has been mailed, first class postage pre-paid, to the following counsel for the defendant:

Mary Cay Jermann
Assistant Federal Defender
200 Jefferson Avenue, Suite 200
Memphis, TN 38103

on July 26, 2005.


Stephen Hall
Assistant U.S. Attorney



Notice of Distribution

This notice confirms a copy of the document docketed as number 12 in case 2:05-CR-20272 was distributed by fax, mail, or direct printing on July 28, 2005 to the parties listed.

Stephen P. Hall
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Samuel Mays
US DISTRICT COURT